

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

ROGER FARLEY and wife,
CAROLYN FARLEY,

Plaintiffs,

VS.

No. _____

STATE FARM FIRE & CASUALTY CO.,

Defendant.

NOTICE OF REMOVAL

Defendant State Farm Fire & Casualty Co. hereby notifies the Judges of the United States District Court for the Middle District of Tennessee, the clerk of the Chancery Court of Hickman County, Tennessee and Roger Farley and wife Carolyn Farley, that the action described herein and filed in the Chancery Court of Hickman County, Tennessee, is removed to the United States District Court for the Middle District of Tennessee pursuant to 28 U.S.C. Section 1441.

1. On June 25, Plaintiffs Roger Farley and wife, Carolyn Farley, filed a civil action bearing Docket No. 09-166C against the Defendant, State Farm Fire & Casualty Co., in the Chancery Court of Hickman County, Tennessee. Service of the complaint and summons was made upon on July 15, 2009, by certified mail through the Department of Insurance of the State of Tennessee.

2. This action is filed by Plaintiffs for proceeds allegedly due under a contract of insurance written by Defendant State Farm Fire & Casualty Co., insuring Plaintiffs' residence and contents in Hickman County, Tennessee, which property was allegedly destroyed by a fire occurring on or about February 24, 2009 .

3. Petitioner seeks removal of this action to this Court upon the grounds that the controversy is wholly between citizens of different states and involves an amount in controversy which exceeds Seventy-five Thousand Dollars (\$75,000.00), exclusive of the interest and costs, 28 U. S. C. Section 1332.

4. Plaintiffs are residents and citizens of the State of Tennessee and were citizens of the State of Tennessee at the time of the filing of this action and at the time of removal. Defendant, State Farm Fire & Casualty Co. is a corporation incorporated in Illinois, with its principal place of business in Bloomington, Illinois. The amount in controversy exceeds Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs. The complaint seeks recovery for the policy proceeds alleging that the real and personal property for the insured location were “destroyed by a fire” (Complaint Paragraph #4) The coverage available under the applicable policy of insurance include \$971,930 for the dwelling, \$728,948 for the contents and additional coverage making the amount in controversy well in excess of \$75,000.

5. This notice is filed within the time prescribed by 28 U. S. C. Section 1446(b).

6. A copy of the Summons and Complaint, being all the papers served upon the Defendant, is attached hereto.

WHEREFORE, Notice is hereby given that the said civil action number 09-166C is removed from the Chancery Court of Hickman County, Tennessee, to this Court.

RAINEY, KIZER, REVIERE & BELL, P.L.C.

s/Russell E. Reviere

Russell E. Reviere (07166)
Attorney for Defendant
209 East Main Street
P. O. Box 1147
Jackson, TN 38302-1147
(731) 423-2414

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was forwarded first class U.S. Mail, postage prepaid to Melanie Totty Cagle, Attorney for Plaintiffs, 830 Highway 100, Centerville, TN 37033 - 1110 and and by electronic means via the Court's electronic filing system.

This the 5th day of August, 2009.

s/ Russell E. Reviere